

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
SEPTEMBER 3, 2013

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on September 3, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Dennis Drake, Commissioner Alan D. Gardner, Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for August 21, 2013, through September 3, 2013
- Consideration of Regular Commission Meeting Minutes of July 2, August 6, and August 20, 2013
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement:
John and Angie Staples, S/N SPD-7; Tammy Frankino, A/N 0370182; Richard & Lorna Derbidge; Jeane Sargeant, S/N SO-BLH-9-145; Robert & Kathryn Brewster, S/N W-LJH-2-9; Margaret Mee, S/N SG-CRS-2-181; Barbara Pepper, A/N 6867348; Kathy Munson, A/N 0296304; Richard & Doris Pierce, A/N 0704240; Annette Kogan, A/N 0143860

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda with the Exceptions of Applications for Property Tax Abatement for Annette Kogan, A/N 0143860 and Robert & Kathryn Brewster, A/N 0654691, which are denied. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

No presentations were made today.

PURCHASE REQUESTS / MARK BLANCH

There were no purchase requests today.

REPORT: 2013 WASHINGTON COUNTY FAIR / WENDY SANDBERG

Washington County Fair Coordinator Wendy Sandberg reported on the 2013 Fair, held on August 8, 9 and 10. She said that attendance was up from the previous year, due in large part to the weather, which was not as hot as in recent years. Every city/town in Washington County participated, and feedback indicated most people who visited enjoyed the experience.

A copy of the PowerPoint presentation is available upon request.

CONSIDERATION OF RESOLUTION NO. R-2013-1747, A RESOLUTION AUTHORIZING AN ANNUALLY RENEWABLE LEASE, A MASTER RESOLUTION, SECURITY DOCUMENTS, AND THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY, UTAH, LEASE REVENUE BOND, SERIES 2013, TO FINANCE THE COST OF CONSTRUCTING A FIRE HOUSE AND RELATED FACILITIES TO BE USED AND OPERATED BY THE SOUTHWESTERN SPECIAL SERVICE DISTRICT; CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF PARK LEASE REVENUE BONDS, AND ANY IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE FACILITY TO BE FUNDED BY THE BONDS; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED

Deputy County Attorney Eric Clarke said that this resolution simply begins the process of the issuance of bonds for the fire house project. The leases and sub-leases are not being signed today but will be considered at the October 1, 2013, public hearing on this issue.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1747, A Resolution Authorizing An Annually Renewable Lease, A Master Resolution, Security Documents, And The Issuance And Sale By The Authority Of Its Municipal Building Authority Of Washington County, Utah, Lease Revenue Bond, Series 2013, To Finance The Cost Of Constructing A Fire House And Related

Facilities To Be Used And Operated By The Southwestern Special Service District; Calling Of A Public Hearing To Receive Input With Respect To The Issuance Of Park Lease Revenue Bonds, And Any Impact To The Private Sector From The Construction Of The Facility To Be Funded By The Bonds; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

ADJOURN BOARD OF COMMISSIONERS AND RECONVENE AS MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY

MOTION: Motion by Commissioner Gardner to Adjourn the Board of Commissioners and Reconvene as the Municipal Building Authority of Washington County. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. MBA-2013-1748, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY, UTAH, AUTHORIZING AND APPROVING THE EXECUTION BY THE AUTHORITY OF AN ANNUALLY RENEWABLE LEASE AGREEMENT, BY AND BETWEEN THE AUTHORITY AND WASHINGTON COUNTY, UTAH (THE "COUNTY"); AUTHORIZING THE ISSUANCE AND SALE OF ITS LEASE REVENUE BOND, SERIES 2013 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$568,000 (THE "BOND"); AUTHORIZING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION, SECURITY DOCUMENTS, AND OTHER RELATED DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE FINANCING OF THE COSTS OF CONSTRUCTING A FIRE HOUSE AND RELATED FACILITIES TO BE USED AND OPERATED BY THE SOUTHWESTERN SPECIAL SERVICE DISTRICT; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

Chairman Eardley said that this resolution, and the next one, are resolutions under the authority of the Municipal Building Authority for the purpose of financing the bond(s) required for the construction and operation of the fire house and related facilities.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. MBA-2013-1748, A Resolution Of The Board Of Trustees Of The Municipal Building Authority Of Washington County, Utah, Authorizing And Approving The Execution By The Authority Of An Annually Renewable Lease Agreement, By And Between The Authority And Washington County, Utah (The "County"); Authorizing The Issuance And Sale Of Its Lease Revenue Bond, Series 2013 In The Aggregate Principal Amount Of \$568,000 (The "Bond"); Authorizing The Execution By The Authority Of A Master Resolution, Security Documents, And Other Related Documents Required In Connection Therewith; Authorizing The Financing Of The Costs Of Constructing A Fire House And Related Facilities To Be Used And Operated By The Southwestern Special Service District; Providing For The Publication Of A Notice Of Public Hearing And Bonds To Be Issued; Providing For The Running Of A Contest Period; Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related Matters. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. MBA-2013-1749, A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY, UTAH, AUTHORIZING AN ANNUALLY RENEWABLE LEASE, A MASTER RESOLUTION, SECURITY DOCUMENTS, AND THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY, UTAH, LEASE REVENUE BOND SERIES 2013 TO FINANCE THE COST OF CONSTRUCTING A FIRE HOUSE AND RELATED FACILITIES TO BE USED AND OPERATED BY THE SOUTHWESTERN SPECIAL SERVICE DISTRICT; CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF PARK LEASE REVENUE BONDS AND ANY IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE FACILITY TO BE FUNDED BY THE BONDS; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED; AND RELATED MATTERS

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. MBA-2013-1749, A Resolution Of The Municipal Building Authority Of Washington County, Utah, Authorizing An Annually Renewable Lease, A Master Resolution, Security Documents, And The Issuance And Sale By The Authority Of Its Municipal Building Authority Of Washington County, Utah, Lease Revenue Bond Series 2013 To

Finance The Cost Of Constructing A Fire House And Related Facilities To Be Used And Operated By The Southwestern Special Service District; Calling Of A Public Hearing To Receive Input With Respect To The Issuance Of Park Lease Revenue Bonds And Any Impact To The Private Sector From The Construction Of The Facility To Be Funded By The Bonds; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated; And Related Matters. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

ADJOURN MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY AND RECONVENE BOARD OF COUNTY COMMISSIONERS

MOTION: Motion by Commissioner Drake to Adjourn the Municipal Building Authority of Washington County and Reconvene as the Board of Commissioners. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1750, A RESOLUTION RE-APPOINTING MEMBERS TO THE WASHINGTON COUNTY ECONOMIC DEVELOPMENT COUNCIL EXECUTIVE COMMITTEE AND PRIVATE SECTOR COUNCIL

Commissioner Gardner asked to recuse himself from voting on this resolution, as he is named as one of the re-appointments to the Washington County Economic Development Council Executive Committee.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1750, Re-Appointing Members to the Washington County Economic Development Council Executive Committee, as Shown in Exhibit A, attached. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1750, Re-Appointing Members to the Washington County Economic Development Council Private Sector Council, as Shown in Exhibit A, attached. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1751, A RESOLUTION RATIFYING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN TOQUERVILLE CITY AND WASHINGTON COUNTY REGARDING EMERGENCY WATERSHED PROTECTION MEASURES DUE TO FLOODING IN DECEMBER 2010

The City of Toquerville is one of many communities to execute an agreement in which Washington County is the sponsor entity that coordinates with federal agencies to receive funds to repair damages caused by the flooding that occurred in December 2010.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1751, A Resolution Ratifying The Execution Of A Cooperative Agreement Between Toquerville City And Washington County Regarding Emergency Watershed Protection Measures Due To Flooding In December 2010. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1752, A RESOLUTION RATIFYING APPROVAL OF THE GENERAL AGREEMENT BETWEEN ZION NATIONAL PARK AND WASHINGTON COUNTY SHERIFF'S OFFICE

Washington County Sheriff Cory Pulsipher explained that this agreement between Zion National Park and the Sheriff's Office covers access by the Sheriff's Office to the repeater tower located deep within the Park and provides for procedures to be used when accessing this tower to minimize environmental impacts.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1752, A Resolution Ratifying Approval Of The General Agreement Between Zion National Park And Washington County Sheriff's Office. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

No items were presented today.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:33 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN